

# News from Ed Markey

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## **BUSH ATTEMPT TO DRILL IN ARCTIC REFUGE WOULD DESTROY 35-YEAR POLICY PROTECTING OUR ENTIRE NATIONAL WILDLIFE REFUGE SYSTEM *GAO Report to Markey Reveals Drilling in ANWR Could Threaten 298 Refuges in 44 States***

Washington, DC: Representative Ed Markey (D-MA) today released a report on oil and gas activities in the National Wildlife Refuge System that confirms that no leases for oil and gas activity have been issued in any national wildlife refuge since the passage of the National Wildlife Refuge System Administration Act in 1966 other than for drainage. Moreover, according to the report (prepared at Markey's request by the General Accounting Office (GAO)) oil and gas leasing on refuge lands has been prohibited with few exceptions by Department of Interior regulations since at least 1947.

"Just as one reckless shooter caused the Alaska pipeline to spew almost 7,000 barrels of oil over several acres, so one reckless decision could lead to widespread damage to our nation's wildlife refuges extending far beyond a single legislative rifle shot aimed at the Arctic Refuge," said Markey. "For 35 years we have refused to initiate a new round of leasing on national wildlife refuges for the simple reason that such activity is incompatible with the wildlife-protection mission of the Refuge Act. Moreover, Congress itself has never – NEVER – forced open a particular refuge to drilling. *So if we don't do it anywhere else, why should we begin in Alaska?* The precedent would haunt our national refuge system for the rest of the century."

"The GAO's response to Congressman Markey makes crystal clear just what's at stake here," noted Rodger Schlickeisen, president of Defenders of Wildlife. "The idea of opening the Arctic Refuge to oil extraction is bad enough in its own right, but the precedent it would set is deeply disturbing. What we've seen already is a legacy of spills, habitat loss, and management nightmares; it's crazy to inflict that upon the Arctic Refuge and the rest of the system."

Defenders of Wildlife has prepared a separate survey using data from the U.S. Geological Survey showing that 298 refuges in 44 states have been identified as having oil and gas potential, any one of which could become an attractive target for oil and gas exploitation should Congress allow drilling in ANWR.

The environmental community has consistently fought to defend the sensitive nature of the tundra wilderness, the caribou herd, the polar bear and other special features of the Arctic Refuge. Proponents of drilling, however, have sought to depict drilling in the refuge, if allowed, as simply part of a pattern of oil and gas development of refuge lands that would not be particularly special or precedent-setting.

For example, Senator Murkowski, chief Senate sponsor of drilling in ANWR, has said "What about refuges? We do all kinds of development in refuges" and his Louisiana colleague, Senator Breaux, has written "there are 76 activities on wildlife refuge systems under the U.S. Fish and Wildlife Service that cover oil and gas production...there has been oil and gas production on Federal Wildlife Refuges in Louisiana for nearly 60 years resulting in the drilling of 1,605 wells...If Louisiana can do it, why can't Alaska?"

The Markey GAO report, however, looks behind such statements and reveals that almost all of the drilling activity occurring on refuges has resulted from grandfathering privately-held rights that were not extinguished when the land was originally set aside as a refuge. In contrast, the leasing of federally-held rights is extremely rare. In the year 2000, only eight refuges with federally-owned mineral rights had active oil or gas production. In four refuges, leases were issued to protect the nation's resources from drainage by adjacent production. In the other four refuges, production either occurred prior to the establishment of the refuges or was allowed under regulations that no longer exist.

"For years the public has tolerated a great deal of pollution, degradation and poison on some refuge lands because it was required to honor the privately-held rights that were granted prior to the creation of the modern refuge system," Markey noted. "Now, in a classic 'Catch 22', the proponents of drilling in ANWR are trying to use these old lingering leases as an excuse to pry open publicly-held minerals on our refuges, starting with ANWR. It is time to demand that private industry give the same respect to the inviolability of our public refuge areas that it demands of its own private leases."

"Oil and water don't mix -- and neither do oil and refuges," said Markey. "The Refuge Act of 1966 wisely prohibits activities on refuges that are not 'compatible' with the public mission of wildlife preservation on these special lands. If Congress allows drilling in ANWR, it will amount to a de facto repeal of the 'compatibility' clause in the Refuge Act. This threatens our national wildlife system in general and will blow open the doors to drilling on refuges not just in Alaska, but in as many as 44 other states in the Lower 48 as well."

The Markey GAO report also shows that the Fish and Wildlife Service (FWS) is ill equipped to manage oil and gas development on refuges. In the entire service, there is only one person assigned full time to monitoring oil and gas activities. From headquarters to the individual refuges, management of oil and gas production is an additional burden for employees with other responsibilities, if it occurs at all. In a recent analysis of oil and gas development impacts in the Kenai Refuge in Alaska (January 2001 FWS report, Kenai National Wildlife Refuge Contaminant Assessment), the contamination from oil and gas activities involved "hundreds of spills throughout the years, including a \$40 million PCB cleanup" that lasted 8 years. Moreover, "many of these contamination events went unnoticed for several years to decades."

The GAO letter report to Markey, U.S. Fish and Wildlife Service: Information on Oil and Gas Activities in the National Wildlife Refuge System, can be found at [www.house.gov/markey/iss\\_arctic.htm](http://www.house.gov/markey/iss_arctic.htm). The accompanying survey by the Defenders of Wildlife can be found at [www.defenders.org/habitat/refuges](http://www.defenders.org/habitat/refuges).

**Representative Markey is the chief House sponsor of HR 770, the Morris K. Udall Arctic Wilderness Act of 2001, with Representative Nancy Johnson and 120 other co-sponsors. He is also the author of the amendment to block the Administration from drilling in the Arctic Refuge. The Markey amendment failed narrowly 206-223 earlier this year.**

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